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NeXXCom Wireless LLC

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SITEXPEDITE,

Plaintiff,

v.

NeXXCom Wireless LLC,

Defendant.

Document Electronically Filed

**Civil Action No.:
2:12-cv-05107-CCC-JAD**

**DECLARATION
OF STEFAN KALINA**

I, Stefan B. Kalina, Esq., of full age, do hereby declare, pursuant to 28 U.S.C. § 1746, as follows:

1. I am Counsel with the law firm of Cox Padmore Skolnik & Shakarchy LLP, attorneys for Defendant Nexxcom Wireless LLC (“Nexxcom”). I respectfully submit this Declaration in support of the within motion to dismiss the Complaint and/or to transfer venue based on my personal knowledge.

2. This action was commenced by the filing of a Summons and Complaint on or about June 14, 2012 in the Superior Court of New Jersey, Law Division, Union County, entitled *SiteXpedite v. NeXXCom Wireless LLC*, bearing the Docket Number L-002135-12. A true and correct copy of the Summons and Complaint are annexed hereto as Exhibit “A.”

3. The Summons and Complaint were served upon Nexxcom on or about July 26, 2012.

3. Nexxcom removed the action on or about August 13, 2012. A true and correct copy of the Notice of Removal is annexed hereto as Exhibit "B."

4. Plaintiff Sitexpedite ("Sitexpedite") states on its publicly available, corporate web page that it is a limited liability company. A true and correct copy of the screen shot of Sitexpedite's webpage at <<http://www.sitexpedite.net>> is annexed hereto as Exhibit "C."

5. According to public records available from the Delaware Department of State, Division of Corporations, Sitexpedite is registered as a domestic limited liability company. A true and correct copy of the screen shot of the Delaware Department of State's web page at <<https://delecorp.delaware.gov/tin/controller>> is annexed hereto as Exhibit "D."

6. According to public records available from the Wisconsin Department of Financial Institutions, Corporation Section, Sitexpedite is not a registered business entity in the State of Wisconsin. A true and correct copy of the screen shot of the Wisconsin Department of Financial Institutions' web page at <<https://www.wdfi.org/apps/CorpSearch/Results.aspx?type=Simple&q=sitexpedite>> is annexed hereto as Exhibit "E."

7. According to public records available from the New Jersey Division of Revenue, Business Records Service, Sitexpedite is not a registered business entity in the State of New Jersey. A true and correct copy of the screen shot of the New Jersey Division of Revenue's web page at <<https://www.njportal.com/DOR/businessrecords/EntityDocs/BusinessStatCopies.aspx>> is annexed hereto as Exhibit "F."

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 20, 2012

s/ Stefan B. Kalina